

## RUSSIAN FRONT BROKEN IN WEST GALICIA

### TONOPAH MINING AND TONOPAH EX. SETTLE THEIR ACTION OUT OF COURT

One of the most serious matters of litigation in the history of Tonopah was the suit brought by the Tonopah Mining Company of Nevada against the Tonopah Extension Mining Company from following its ledge from claimed apex into the Sand Grass claim of the plaintiff company on its dip and extracting ore therefrom. The plaintiff also sued to recover the value of ore estimated to have a worth of \$200,000, together with triple damages, making the total amount sued for \$600,000.

This case was withdrawn from the courts yesterday by reason of telegraphic instructions to Hugh H. Brown, attorney for plaintiff, and H. R. Cook, counsel for defendant. The two lawyers entered into a stipulation which was filed with the clerk of the fifth judicial district court and the case was withdrawn. This stipulation provides that each side shall

pay its own costs, that there be no further claim for the ore extracted on apex rights and, furthermore, that the Extension be given an easement through the Sand Grass claim for the purpose of working its ledges in other properties.

There is nothing in this stipulation establishing vertical rights between the two properties, but it is understood that such will be the case, after certain papers now in course of preparation are signed, sealed and delivered. This action was between two foreign corporations and therefore brought in the district court, the supreme court having recently pointed out this as the proper manner of obtaining a remedy, although hitherto when two foreign corporations were engaged, it was the custom to have the action tried in the federal court. It now applies when only one of the participants in the suit is a foreign corporation.

### WLEED-BERTRAM CASE MAY BE TRIED AGAIN

#### RULING OF COURT AFTER RE- CONSIDERATION OF MATERIAL EVIDENCE

Judge Averill in the district court yesterday handed down a ruling in the case of P. D. McLeod, plaintiff, versus E. E. Bertram, defendant. It was a ruling on motion to vacate ruling on motion for a new trial. After reciting some of the points involved, giving review of the evidence of Dr. Young, a very material witness, the court concluded: "I consider that it takes this case out of the usual rules, and that the condition of things there described entitled the defendant to a new trial. The present motion is overruled and a vacation of the ruling on the motion for a new trial is denied."

### DIRECTORS TO FURTHER RATIFY TERMS OF PACT

#### FORMALITIES TO BE OBSERVED IN PREPARING DRAFT OF AGREEMENT

Directors of the Reorganized Booth Mining company and the Jumbo Extension Mining company will meet within the next day or two for the purpose of formally ratifying, as between the two directorates, the agreement entered into between the companies, involving the settlement of apex litigation. The terms of the agreement, as already formulated, will merely set forth in such manner that the respective attorneys for the companies may prepare formal documents, embodying such terms, for final ratification by the stockholders, at the meetings of the two companies, says the Goldfield Tribune. The stockholders' meeting of the Jumbo Extension company will be held at Phoenix, Ariz., on May 20, and that of the Booth company is to be held in Goldfield on May 31. Following the latter meeting the apex suit against the Jumbo Extension will be dismissed and all restrictions upon operations of the latter, provided for under the terms of stipulations entered into between the two companies, will be removed and 300,000 shares of Jumbo Extension stock will be transferred to the Booth company.

### FAIRY GODMOTHERS BEFRIEND THE SOLDIER

(By Associated Press.)  
LONDON, May 5.—The League of Fairy Godmothers is the newest organization to befriended the British soldier. The members are young women in all classes of society, each of whom undertakes to forward to some lonely soldier a weekly paper and at least once a month to supplement this by a long chatty letter and a gift of some kind. Up to the present time more than 2,000 men have been thus provided with "Godmothers."

### LABOR STATUTE VOID

(By Associated Press.)  
COLUMBUS, O., May 5.—The Ohio statute which prohibits an employer from discharging an employee because of the membership of the latter in a labor union, was held unconstitutional in a decision handed down by the state supreme court today.

### WHAT'S IN A NAME?

Messrs. Kind, Thatcher, Gilbert and Southworth are preparing to incorporate their holdings in Volcano district. It will be known as the O. Steve Mining company.

### DESPERATE FIGHTING PROGRESSES IN THE EAST ON CARPATHIAN FRONT--9 TRAWLERS SUNK BY GERMAN SUBMARINE

(By Associated Press.)

BERLIN, May 5.—Correspondents have telegraphed that an Austro-German victory in western Galicia has broken down the Russian front for a distance of 24 miles. The Russians have abandoned not only their first line, but the villages in the rear. The Russians admit that the Germans and Austrians have crossed the Dunajec. There is desperate fighting further east on the Carpathian front. In the region of Stry one hill changed hands three times in a single battle.

(By Associated Press.)

HULL, May 5.—Nine trawlers in the bag credited to the German submarines on Sunday. So far as known no lives were lost. According to the crews, the submarine that wrought most of the damage was of the newest type with an iron cross painted on the conning tower. It ran among the fishing fleet in the North Sea and sank seven vessels in quick succession. The crews were allowed time to escape.

### BERLIN CLAIMS FURTHER BIG VICTORIES

(By Associated Press.)

BERLIN, May 5.—Further striking victories by the Austro-Germans in the east are announced. There are also successes in France and Belgium. This report, with the events of the past two days, make it appear that the Teutonic allies have entered into offensive operations on both the eastern and western fronts, such as have seldom been undertaken simultaneously since the war began. The German attack extended into the heart of the wooded Carpathian section, where the Russians have been struggling to break through into Hungary. The third fortified line was pierced, and the Russians were defeated along the entire front. The British continue retreat with heavy losses east of Ypres. The French have been repulsed northwest of Pontamousson with heavy losses.

### WOMEN WIN DAY FOR THE WETS IN RENO

#### OVERWHELMING MAJORITY FOR A WIDE OPEN GOVERNMENT OF METROPOLIS

(Special to the Bonanza.)

RENO, May 5.—At yesterday's election women participated in their first exercise of the right of franchise, and right valiantly they struggled against the movement to restrict the number of saloons. It is estimated that 2000 women cast their ballots and the returns show that the anti-saloon ticket received only 1239 votes, while the wets polled 2650. This was the return on the proposed ordinance limiting the number of saloons in the city to forty.

By practically the same majority, more than two to one, the wets elected their entire ticket from Mayor Frank Byington down to Police Judge Bryson. The wets were represented by the Business Men's League and the dries by the Citizens' League.

#### BUNNY'S ESTATE \$8000

(By Associated Press.)

NEW YORK, May 5.—The estate of John Bunny, the moving picture actor, who died recently in Brooklyn, amounts to \$8000 according to his will, filed today. His widow is named as sole beneficiary and executor.

#### STRIKE SPREADS

(By Associated Press.)

PITTSBURG, May 5.—Demanding an advance of 5 cents an hour and an eight hour day, hod carriers and building laborers today joined the striking bricklayers, tying up operations in the building trades in the Pittsburgh district. Six thousand men are said to be affected.

#### REGIMENT OF TURKS PRACTICALLY ANNIHILATED

(By Associated Press.)

PARIS, May 5.—A regiment of Turks was annihilated at Dardanelles, according to a dispatch. The allies bombarded the forts and Turkish encampments.

#### DEATH PENALTY WILL NOT BE ABOLISHED

(By Associated Press.)

NASHVILLE, May 5.—Governor Rye today vetoed the bill abolishing the death penalty, expressing the belief that it would tend to increase mob violence.

#### KRONPRINZ INTERNED

(By Associated Press.)

NEWPORT NEWS, May 5.—The German auxiliary cruiser Kronprinz Wilhelm was towed to Norfolk navy yard today and interned there to await the close of the war.

#### AUSTRIA'S ANSWER WILL DETERMINE ITALY'S COURSE

(By Associated Press.)

ROME, May 5.—Austria's demands to Italy's minimum demands is expected. It is believed that it will determine the course of Italy.

begin. The German attack extended into the heart of the wooded Carpathian section, where the Russians have been struggling to break through into Hungary. The third fortified line was pierced, and the Russians were defeated along the entire front. The British continue retreat with heavy losses east of Ypres. The French have been repulsed northwest of Pontamousson with heavy losses.

#### TODAY AND A YEAR AGO.

Official readings of the thermometer by the United States observer at Tonopah:

|         | 1915 | 1914 |
|---------|------|------|
| 5 a. m. | 35   | 46   |
| 9 a. m. | 41   | 48   |
| 12 noon | 43   | 60   |
| 2 p. m. | 47   | 66   |

#### TO MAKE ANOTHER SHIPMENT

Another shipment of ore is on the dump of the Hasbrouck mine, located six miles south of Tonopah. As soon as the condition of the roads improves, it will be hauled in to the West End mill. Manager Kernick, in addition to extracting ore, is doing a considerable amount of development work on the lowest level.

#### SENT UP FOR NINETY DAYS

Bert Adams, arrested for stealing chickens from Charles Wittenberg's poultry yard, was found guilty in Justice Dunseath's court yesterday and was sentenced to 90 days in jail. This was Bert's fifth appearance in this court, which occasioned the severity of the sentence.

#### DARK LANTERN SESSIONS

The board of county commissioners is holding its regular monthly meeting. It is alleged that some dark lantern sessions may be held for the purpose of turning the expense of last month's road work on Main street into this month, for the purpose of showing an apparent curtailment in expenses.

#### THE STORM CONTINUES

The weather observer holds out but little hope for improvement in weather conditions. Today there were alternate periods of sunshine and shower, with occasional snow and sleet. The runoff continues unabated, but has done no damage and the snow on the hills is largely confined to drifts, which will disappear gradually.

#### KANSAS CITY IN KANSAS WORSE THAN TERRE HAUTE

(By Associated Press.)

TOPEKA, Kan., May 5.—"Kansas City, Kan., may make Terre Haute look like a Sunday school town," said Governor Capper today, after he had announced that he would conduct an investigation of recent elections held in Kansas City.

#### WILL APPEAR AT BUTLER

"The Price She Paid" company, advertised to appear at the Alhambra tomorrow evening, found it impossible to give the presentation in an open air house because of the inclemency of the weather. Manager Smith of the Butler theater has kindly given the use of his house to the company tomorrow evening.

#### NATIONAL BANK CALL

WASHINGTON, May 5.—The controller of the currency today issued a call for the condition of all national banks at the close of business Saturday, May 1.

### JAPAN PREPARES TO MAKE WAR ON CHINA FOR IGNORING ITS RECENT ULTIMATUM

(By Associated Press.)

PEKING, May 5.—A Japanese cruiser and four torpedo boat destroyers have arrived at Chin Wang Tao, in the Gulf of Liao Tung, evidently for the purpose of removing from China members of the Japanese legation and consular officers. Reports from all parts of the country announce the departure of Japanese, or concentration at Japanese consulates. The substance of opinion at Peking is that Japan may take action in regard to the non-acceptance of its demands by China without waiting for the issuance of an ultimatum.

(By Associated Press.)

LONDON, May 5.—The Tokio correspondent of the Central News has cabled: "The Japanese ultimatum to China grants a delay of forty-eight hours."

(By Associated Press.)

TOKIO, May 5.—Attention is focused on China. It is reported that the foreign office telegraphed to the

### LOS ANGELES VOTERS STAND BY SEBASTIAN

#### POLICE CHIEF UNDER FIRE IS SUPPORTED STRONGLY BY PEOPLE

(By Associated Press.)

LOS ANGELES, Cal., May 5.—Sebastian's decisive lead over his competitors for the mayoralty nomination is confirmed. The indications are that he polled from sixty to seventy-five thousand out of a registration of two hundred thousand. Frederick Wheeler, the Socialist member of the council, showed the largest vote in the incomplete returns. Mrs. Estelle Lindsey and Mrs. Clara Foltz have qualified as candidates for the city council.

#### BLAIR REJOICES TO BE BACK ON DESERT

Wilber E. Blair, who has represented Hall, Luhrs & Co. of Sacramento in this territory for the past eight years, and who made a host of friends on the desert, was taken off the road several months and placed at the head office. It was in the nature of a promotion, but Wilber pined away for the sagebrush. One day the head of the house saw him with a bit of artemisia in his button-hole, looking down at it with tears of loneliness in his eyes. The firm, to save Blair's life, told him to pack up and beat it back for the desert. He is the happiest man in Tonopah today.

#### WINNEMUCCA WOMAN COMMITTS SUICIDE

Suffering from melancholia due to ill health, Mrs. T. E. Giller, wife of the Western Pacific freight agent at Winnemucca, killed herself at her home, 313 West Fourth street, about 9 o'clock Sunday night, says the Silver State. Her husband and mother, Mrs. Dorothy Owens, an old lady in her ninetieth year, were in the house at the time. Started by a pistol shot, Giller rushed into his wife's bedroom and was horrified to find her lying on the floor, a pistol beside her. Dr. Swezy was immediately summoned, but there was nothing to be done and Mrs. Giller expired in a few minutes. The bullet entered her head at the right temple and lodged in the brain.

#### LAST STATE BUILDING AT EXPOSITION OPENED

(By Associated Press.)

SAN DIEGO, May 5.—The last of the state pavilions to be dedicated, the New Mexico building at the Panama-California exposition, was formally turned over to the exposition authorities yesterday by Governor W. C. McDonald after the building had been presented by him to Col. R. E. Twitchell, president of the New Mexican exposition commission.

#### PLEAD GUILTY

(By Associated Press.)

FAIRMONT, W. Va., May 5.—Four more of the 133 striking miners, indicted in connection with the death of Constable W. R. Riggs during a riot at Farmington, W. Va., last February, entered pleas of guilty in court here today and were sentenced to terms ranging from three to five years in the penitentiary. There remain 124 men to be tried.

#### FARMER FOUND DEAD

M. P. Phillips, owner of a farm near the mouth of North Fork, in Elko county, was found dead close to his home Sunday morning. It is surmised that he dropped dead from heart failure. He leaves a widow and three children.

council of China instructing it to prepare the nation for the possible departure of Governor General Te- rauchi to Korea for a conference with his army staff. The decision of the cabinet and elder statesmen is expected tomorrow.

(By Associated Press.)

PEKING, May 5.—The Chinese capital is remarkably quiet in the face of what Peking calls "the gravest peril in China's modern history." Most of the people are going about their business as usual. The government has taken measures to prevent anti-Japanese demonstrations. Only the educated upper classes are kept informed of the progress of the negotiations with Japan. After the news was received that the Japanese proposed an ultimatum, the cabinet met in the winter palace of President Yuan Shi Kai. Some express the opinion that China will surrender, while others believe that she will resist. The president did not express any views. The decision rests with the president.

### BRITISHERS PREPARE TO RESIST DROUGHT

#### CONSUMERS LAY IN STOCKS IN ADVANCE OF NATION'S ACTION

(By Associated Press.)

LONDON, May 5.—The demand for whiskey, in anticipation of government action in the direction of either in the direction of largely increased taxation or of prohibition, has been so great that dealers' stocks have been depleted and retailers have begun to speak of the possibility of a scarcity. There have been exceptionally large withdrawals of stocks from bond.

In the national drink bill prepared by George B. Wilson, secretary of the United Kingdom Alliance, the annual expenditure of Great Britain in drink is computed at over \$321,300,000. Over \$517,000,000 is spent in beers, \$50,000,000 in wines and the rest in hard spirits. This puts the average expenditure for each individual at .69 gallons of spirits, 28.78 of beer and .25 of wine, costing \$17.50.

#### VODKA DISAPPEARS BUT KVAS IS OBTAINABLE

(By Associated Press.)

PETROGRAD, May 5.—Strict prohibition of wines which followed the abolition of vodka in Petrograd, has begun to be relaxed to some extent. For a time it was impossible for diners in hotels and restaurants to secure wines at any price. Today, on the contrary, it is quite easy to have such beverages served more or less openly, in pitchers, lamely disguised as "kvass," a common Russian temperance drink. Householders easily procure supplies for home consumption by applying to the police captain of the district wherein they live.

#### NEW BUSINESS HOUSE

The Imperial Jewelry company has opened its place of business next to the Miners' Union hall. B. Burstein is manager. The company carries a large and select line of watches, diamonds, jewelry of all kinds and optical goods. It makes a specialty of watch repairing. Reasonable prices and satisfaction guaranteed. Watch for its display advertisement.

### BUTLER THEATRE TONIGHT

#### Big Benefit Show

Proceeds given to Miss Lavina Shieels, local contestant in Exposition Contest

#### SPECIAL FIVE-REEL PROGRAM

### The Radium Thieves

3-REEL BROADWAY STAR FEATURE

### The Guardian's Dilemma

SELIG WILD ANIMAL COMEDY  
A Picture for the Little Folks  
A COAT'S TALE  
KEYSTONE COMEDY

Matinees 1 and 2 p. m. Night, 7-9 p. m.

Admission, Ten Cents